

TOWN & COUNTY ZONING

ZA Report Dated 3-8-11

2-5-11 to 3-4-11

I. Permit Applications Approved and Issued:

Name	Date Received	Date Issued	Type/Address
Dobson, Jacob/Hailey	2-14-11	2-22-11	Single Family Dwelling 400 Old Fort Rd (amended building plan to alleviate setback encroachment. All past due fees pd.)
Gould, Jon/Kim	2-14-11	2-28-11	Accessory 2770 Big Bay Road

Certified Survey Maps

Name	TPC approve/deny	TB approve/deny	Address
Cone/Thompson	TPC recommended approval with corrections - map redrawn for TB approval		corner of Mondamin and South Shore
Noha/Town (waiting for final map showing any corrections required by Ash Co then I will put it on the TB agenda for approval)	TPC approved 1-10 pending county review		Library
Hartzell, Robert	Property rezoned from R-3 to R-1 in 1988 Ordinance Revision. Cannot approve ½ acre lots unless property is rezoned in current ordinance revision (on hold)		Penny/Abby/Mondamin
Ives/Zuehlke	csm for division of property on Miller Farm Road. Still have not received Zuehlke signature yet. Scott Ives dropped off new map 2-18-11 and said Ms. Zuehlke will not sign for the csm because she will not do anything for the Town but is in favor of the property division. Will seek legal council regarding this matter. Ashland County requires an owner's certificate signed by all owners of the property.		
Nelson/Allen	CSM to divide parcel at 631 Big Bay into 3 lots. TPC approved of the preliminary – awaiting Ash Co approval and corrected map for TPC recommendation to TB.		
Osterbauer, Morris	Proposal to reconfigure lots on South Shore Road. TPC approved		

Of preliminary #1 (submitted 3 proposals). Awaiting csm for TPC review and recommendation.

II. Permit Applications in Progress:

Name	DateReceived	Project/ Address
Hartzell, Robert	7-16-07	CUP – Year round resort, spa and exercise facility 580 Mondamin Trail (TPC reviewed the status of this CUP on 3-3-10. CUP not yet issued due to sanitary not in order. Illegal subdivision corrected. Hartzell reports he should have sanitary next spring. He has also asked the TPC to add additional acreage to csm (neighboring lot) and to change several of the buildings to tents. TPC decided both would require a CUP amendment.)
MIYC	11-20-07	CUP – Warehouse/Boat Storage Fire # 633 Main St (CUP not yet issued due to sanitary not in order.)
Geiser, Barb (7 Hearts)	7-25-08	Add/Alter (deck on bunkhouse) 1454 North Shore Road (Still have not heard from John on this app as of 3-4-11)
Ujke, James	5-25	Road Access/Fire # (property riddled with wetlands. Inspection w/J. Spangberg 6-2 and 7-8. Access and building site located. Ujke to amend application to reflect findings of inspection(s) for approval. Awaiting application. Wrote letter of reminder 12-13-11)
Rocketenetz, Margaret++	7-13	SFD 890 South Shore Road (found to be a conforming lot. Assessed wetland plants/hydrology/soil and submitted report to J. Spangberg for review. After inspection Spangberg agreed the building site would have to be moved. I have emailed Mr. Roketenetz about this several times.)
Schneider, Arthur/Jeanette++	7-29	SFD/Removal of old SFD 655 Big Bay Road (needs a boundary survey to show property lines. Notified applicant by telephone and reminded via letter. Jeannette called and said she was looking into the boundary survey.)
Patterson, Gwendolynn	9-13-10	Road Access/Fire # (This is for a driveway off the culdesac that has not been built. I cannot issue until I know where the town road is going to be built. There is no place to put a fire #)
Hartzell, Robert	10-4-10	Driveway Extension 580 Mondamin Trail

(Conflicting plot plans submitted. All show a parking lot which is not a permitted use in the R-1 Zone. Since the CUP is not issued yet I cannot issue the permit for the parking lot. I have been waiting for one plot plan that shows what portion of the road Mr. Hartzell intends to build at this time. Reminder letter sent 2-3-11 giving him 30 days to submit a completed app or I will return the app and retain the \$50 nonrefundable fee)

Hartzell, Robert 12-2-10 Fire #/Multi Family Dwelling (4-plex)
(014-00206-1303 Many question on this application. Wetlands involved – proposed bridges to 4-plex - but I cannot inspect due to the ground being frozen and snow covered - have forwarded to Spangberg. Parking spaces not enough to meet ordinance requirements. No sanitary permit submitted, application incomplete. TPC stated I cannot move forward with the permit until it is complete and the DNR is satisfied regarding the wetlands. Reminder letter sent 2-3-11 to complete the application or I will return the app and retain \$50 nonrefundable fee.)

Hartzell, Robert 12-2-10 Fire #/Multi Family Dwelling (4-plex)
(014-00206-1302 Many question on this application. Wetlands involved – proposed bridges to 4-plex - but I cannot inspect due to the ground being frozen and snow covered - have forwarded to Spangberg. Parking spaces not enough to meet ordinance requirements. No sanitary permit submitted, application incomplete. TPC stated I cannot move forward with the permit until it is complete and the DNR is satisfied regarding the wetlands. Reminder letter sent 2-3-11 to complete the application or I will return the app and retain \$50 nonrefundable fee.)

Slater/McCue+ 1-20-11 SFD
1268 Big Bay Road
(waiting for approved sanitary permit from Ashland Co for mound system)

Town of La Pointe 2-3-10 CUP
BBTP Campground update and extension
(PH scheduled for 3-15-11.)

Denton, Marjorie 3-2-11 Add/alter after the fact
853 Main St
(waiting for agent authorization form)

III. Permit Applications Denied/Revoked:

Name	Date Applied	Date Denied	Type/Address
None			

IV. Violations

Name	Violation	Order
Schardt	House moved. Holding tanks installed 7-19. All weather holding tank service road to be installed w/in 25' of tank pump port.	

Ryder, Jim	House setback encroachment. (New occupants do not own the home yet but stated they are fine joining the lots to clear violation once they do)
Ryder, Elizabeth	Pole Barn setback encroachment. (New occupants do not own the home yet but stated they are fine joining the lots to clear violation once they do)
Woods, Marcy/Thomas	Permit for after-the-fact additions denied. Additions to be removed – pending BOA appeal
Cone/Thompson	Illegal subdivision of parcel 014-00206-2101. CSM submitted and sent back to Surveyor requiring several corrections. Letter sent 10-11-10 warning I will pursue orders unless corrected csm is received. Second CSM received needs two minor corrections. TPC recommended approval to TB with corrections plus any corrections required by Ashland County Surveyor. Final Map received did not include all corrections. Letter sent to surveyor and owner 2-4-11. Rec'd map w/corrections for 3-8 TB meeting.
Baker-Dukette	Camping units do not meet setback requirements (not on their property). Request removal of all but one camping unit and to place that unit w/in the setbacks of their own property. 486 Mondamin Trail. Porta-potty has been installed for sanitation during construction.
Gorman, Kathleen	Shed does not meet rear setback – letter sent. Spoke with Kathleen and she cannot move it until spring when the ground has thawed.
Alsgaard, Beth	SFD at 718 Brian's Rd w/ no permits or approved sanitation. Letter sent 1-31-11 requesting clarification, requiring permit apps. Ms. Algaard is in the process of filling out the application.
Wakem, Steven/Deborah	Campground, building and sanitary with no permits at 622 Miller Farm Rd (Cherry Lane). 5 travel trailers, shed, possible privy. Letter sent 2-1-11. No response as of 3-4-11.
Winkler, Linda	Road access/driveway extension – project beginning w/o permits. Letter sent 1-27 requesting permit app and . TPC interp 2-16 in agreement with my letter. Second letter sent requesting after the fact application. Krubsac, agent, is filling out the application.
Robert Douglas	Campground at 2334 Benjamin Blvd. Advertisement on VRBO for rental of their cabin included rental for up to 30 extra campers as well. Letter to Douglas/Pearson 2-8. Email from Pearson

argued that they were advertising a campground. Took it to TPC for interp 3-2. TPC agreed. Letter sent 3-4.

Denton, Marjorie Add/alter w/o permit at 853 Main Street. Letter sent 2-16.
Application almost complete.

V. Land Use Permit – No Permit Required:

Name	Project/ Address
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None

VI. Correspondences: Letters/MEMO to

Name	Date	Re
Douglas/Pearson	2-8-11	Advertising campground at 2334 Benjamin Blvd.
Dalzell	2-10-11	Notice of TPC agenda item for Hoffman complaint
Hoffman	2-10-11	Notice of TPC agenda item for Hoffman complaint
MEMO BOA/TPC	2-14-11	Rec'd Woods appeal. Not filed timely.
MEMO TB/TPC	2-14-11	ZA notification of maternity leave
MEMO TPC	2-15-11	Winkler Violation
MEMO TPC	2-15-11	Hoffman/Dalzell complaint research
Denton	2-16-11	Add/alter w/o permit
Winkler	2-17-11	TPC interp re: driveway permit
MEMO TB/TPC	2-17-11	62.23(5) matters referred to TPC
MEMO BOA/TPC	2-18-11	Woods appeal, filed/time limits
Dalzell	2-18-11	TPC interp re: complaint livestock in S-1 Zone
Hoffman	2-18-11	TPC interp re: complaint livestock in S-1 Zone
Dobson	2-25-11	SFD permit conditions of approval
Island Gazette	2-22-11	Ord Revision article Sexually Oriented Businesses
Property Owners	2-25-11	BBTP CUP notice to owners w/in 300 ft
MEMO BOA/TPC	2-25-11	Woods appeal – filed/time limits
MEMO TB/TPC	3-3-11	Brenna/Aleckson email re businesses downtown
Brenna/Aleckson	3-3-11	TPC interp re: permits required for home occup.
MEMO TB/TPC	3-3-11	TPC report per 62.23(5) re Mondamin cul-de-sac
Douglas/Pearson	3-4-11	TPC interp re: Camping activities at 2334 Benjamin

VII. Complaints

Name	Date	Regarding
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None

X. New Business

I'm not sure why BOA Chair Mike Starck has taken a BOA matter to the TB instead of the BOA. The BOA should be making all decisions regarding appeals as statute and ordinance dictate. The BOA needs to decide two simple matters: was the appeal filed timely and, if it is the BOA decision the appeal was filed timely, when to schedule the PH. I am afraid if the TB makes any decision regarding the appeal the procedural flaw may be a reason to appeal the decision of the BOA regarding the Woods appeal.

XI. Old Business

The TPC is almost finished making necessary changes to the Ordinance. In a few more meetings we should have a new draft ready. The TPC will then schedule another PH.

I understand Keith is asking the TB to waive their right to timely action by the TPC (decision w/in 30 days of the PH) so we might have a second PH. I have no opinion about this but the waiver does need to be in writing per Ordinance. Also if the TB wants Keith to be acting as their agent I want the TB to sign an Agent Authorization Form for the file. Keith is communicating with me as ZA on behalf of the Town (applicant) a lot and I would like the TB to approve that he is authorized to do so. The document is in the "to be signed" folder.